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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/678,020	10/04/2000	Kiichiro Takahashi	1272.C0439	6101

5514 7590 04/11/2005

FITZPATRICK CELLA HARPER & SCINTO
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NEW YORK, NY 10112

EXAMINER

BRINICH, STEPHEN M

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 04/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/678,020	Applicant(s) TAKAHASHI ET AL.	
	Examiner Stephen M Brinich	Art Unit 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2004.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
4a) Of the above claim(s) 2-4,6,13-15 and 17 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1,5,7-12,16 and 18-22 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Election/Restrictions

1. Applicant's 10/28/04 Remarks (page 7, lines 2-3) describe claims 2-4, 6, 13-15, & 17 as non-elected species that have been withdrawn from consideration. However, claims 6 & 17 are marked as "Amended" rather than "Withdrawn".

Referring to the original 6/17/04 response to the 5/17/04 Election of Species requirement, the correct status of the claims is that set forth in Applicant's Remarks. Claims 6 & 17 remain withdrawn from consideration.

Claim Rejections - 35 USC § 102

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1, 5, 7-12, 16, & 18-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Helterline et al.

Re claims 1 & 12, Helterline et al discloses (Abstract; column 4, line 45 - column 5, line 32) an image processing and printing system in which a plurality of density correction data (contents of look-up table 52) are derived from a judgment of printing conditions (actual print density compared to ideal density of a printout). These data are then retained and used to perform density correction corresponding the result of this

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judgment, thereby calibrating the printer. Printing is thus performed in accordance with these printing conditions.

Re claims 5 & 16, the printing calibration regulates the volume of a generated ink drop (column 4, lines 55-63), which inherently determines the dot size generated by an ink jet printer. This determination is performed in accordance with printing conditions (as described above re claims 1 & 12) that are determined in accordance with image data (the line width actually produced and the ideal line width desired).

Re claims 7-8 & 18-19, Helterline et al discloses a plurality of print elements (column 5, lines 33-47), each of which uses the retained calibration data.

Re claims 9-10 & 20-21, Helterline et al discloses (column 1, lines 43-48) an ink jet printing process in which ink is ejected from nozzles using thermal energy.

Re claims 11 & 22, Helterline et al discloses (column 5, lines 15-32) a printing condition judgment by means of a simulation printout (a "calibration run").

Response to Arguments

4. Applicant's arguments filed 10/28/04 have been fully considered but they are not persuasive.

Re claim 1, Applicant argues (10/28/04 Response: page 7, line 12 - page 8, line 21; particularly page 8, lines 1-5 & 17-

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20) that the art of record (Helterline et al) does not teach or suggest the claimed retention of density correction data for a plurality of printing conditions and printing in accordance with density correction data for the judged printing condition.

However, as noted above, Helterline et al discloses a look-up table 52 that stores a plurality of printing conditions (the plurality of entries in the table) derived from a judgment of printing conditions (actual print density compared to ideal density of a printout).

Re claim 12, Applicant argues (10/28/04 Response: page 9, lines 1-3) that claim 12 is allowable for the same reasons as claim 1.

This argument has been addressed above.

Re claims 5, 7-11, 16, & 18-22, Applicant argues (10/28/04 Response: page 9, lines 4-8) that these claims are dependent from claims 1 & 12 and therefore allowable for the same reasons as the parent claims.

This argument has been addressed above.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is

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reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 571-272-7430. The examiner can normally be reached on weekdays 7:00-4:30, alternate Fridays off.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Tech Center 2600 Customer Service center at 571-272-2600 or to the USPTO Contact Center at 800-786-9199 or 703-308-4357.

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If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 571-272-7437.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 703-872-9306.

Hand-carried or courier-delivered correspondence pertaining to this application should be directed to

US Patent and Trademark Office
220 South 20th Street
Crystal Plaza Two, Lobby, Room 1B03
Arlington VA 22202

Stephen M Brinich
Examiner
Art Unit 2624

smb *smb*
April 7, 2005



THOMAS D.
~~TOMMY~~ LEE
PRIMARY EXAMINER



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20050407

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Commissioner for Patents